



FORCE MANAGEMENT
POLICY

OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE
4000 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-4000



May 15, 1997

MEMORANDUM FOR: SEE DISTRIBUTION

SUBJECT: Timely Submission of Federal Employees' Compensation Act (FECA) Forms

The Department of Labor, Office of Workers' Compensation Programs (OWCP) has found that agencies are not complying with the regulatory forms submission time requirements, and they have asked us to make improvements. Agencies must submit Form CA-1, Federal Employee's Notice of Traumatic Injury and Claim for Continuation of Pay/Compensation, and Form CA-2, Federal Employee's Notice of Occupational Disease and Claim for Compensation, within ten working days of receipt from an injured worker. Federal agencies must submit Form CA-7, Claim for Compensation on Account of Traumatic Injury or Occupational Disease, within five working days of receipt.

In addition to complying with the regulations, timely forms submission is integral to effective program management. It allows OWCP to pay benefits more promptly, reducing undue hardship for claimants. It also reduces agency costs by allowing earlier initiation of case management actions designed to expedite recovery and a return to work.

OWCP's statistics do not tell the full picture. For example, claims for injuries not involving lost time or medical expenses must be held by the agency. Should they subsequently require submission, the lengthy filing delay would be beyond the agency's control. Also, the figures do not reflect mail delays which especially penalize remote personnel offices.

Despite these points of clarification, however, there is clearly room for improvement. Statistics show that the Defense Components submit only 22 percent of Forms CA-1 and CA-2 within fourteen days, and 32 percent of Forms CA-7 within seven days. To assist injury compensation program administrators, we have distributed the attached DoD guidance on this matter. The guidance includes two memoranda, one which they can give to all current employees and to new employees as they enter on duty, and a second memorandum for all supervisors.

Should you require additional information on this subject, please contact our Injury and Unemployment Compensation Division at (703) 696-1985.

Diane M. Disney
Deputy Assistant Secretary of Defense
(Civilian Personnel Policy)

Attachments:
As stated

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**DoD Guidance
on Timely Submission of
Injury Compensation Claim Forms**

Forms covered.

When a Federal employee is injured at work as the result of one specific event or series of events during the course of one day or shift, he or she must complete a Form CA-1, Federal Employee's Notice of Traumatic Injury and Claim for Continuation of Pay/Compensation. Should a Federal employee develop a work related condition due to prolonged exposure lasting more than one day or shift, he or she must complete a Form CA-2, Federal Employee's Notice of Occupational Disease and Claim for Compensation. To claim compensation for lost wages due to the injury or occupational disease, he or she must complete a Form CA-7, Claim for Compensation on Account of Traumatic Injury or Occupational Disease.

Forms submission process.

When an employee is injured or sustains an occupational disease, he or she must complete the employee portion of Form CA-1 or CA-2, as appropriate. The employee must submit the completed form to his or her supervisor. The supervisor must review the form, complete the supervisor section of the form, provide any additional information as appropriate, and forward the form to the injury compensation program administrator (ICPA). The ICPA must review the form for consistency and completeness, coordinate any additional information as necessary, and forward the claim form to the Department of Labor, Office of Workers' Compensation Programs (OWCP).

Regulatory time requirements.

20 CFR 10. 102(a) requires that the forms submission process, as described above, must be completed within ten working days of receiving a Form CA- 1 or CA-2. 20 CFR 10. 106(c) states that the forms submission process must be completed within five working days of receiving a completed Form CA-7. Both time requirements are measured from the time the first agency representative, usually the supervisor, receives a completed form from the employee.

Benefits of timely forms submission.

Timely forms submission allows OWCP to pay medical benefits more promptly. For example, it is not uncommon for medical bills to arrive at OWCP prior to the Form CA-1 or CA-2 when the agency does not submit the forms in a timely manner. When this happens, the bills reject for payment because a case has not yet been established for that particular injury or disease. The bills must be resubmitted at a later date in order for the provider to receive payment. Excessive delays have occasionally made it more difficult for employees to obtain medical treatment, because the medical providers feared they would not be paid for their services.

Timely forms submission also allows OWCP to pay wage loss compensation benefits more promptly. Because it takes time for OWCP to review a Form CA-7 and issue payment, it is extremely important that the agency submit this form as soon as possible with complete and accurate information. Delays resulting from an agency time-lag or from the agency providing incomplete pay information can result in undue financial hardship for the employee while he or she awaits payment. This is especially true when the employee is in a leave without pay status.

Timely forms submission also reduces injury compensation costs to the agency. OWCP initiates case management action on receipt of a Form CA-7. These actions, including assigning a nurse case manager to work with the employee and his or her attending physician, are designed to expedite recovery and the employee's return to work. The sooner OWCP receives the claim form, the sooner they can initiate case management services.

Recommendations for submitting forms more quickly,

All employees should be informed of their rights and responsibilities in claiming injury compensation benefits. With specific regard to timely forms submission, they should be aware of how to file a claim, and that they should do so immediately following a work injury, regardless of the extent of the injury. To assist in informing employees of their rights and responsibilities, the attached letter should be distributed to all current employees, and to all new employees as they enter on duty.

Supervisors must also be aware of their responsibilities when their employee sustain work injuries or occupational diseases. The attached letter addresses supervisor responsibilities as well. However, all supervisors should also receive basic injury compensation training which emphasizes prompt review and completion of all Forms CA-1, CA-2 and CA-7, and immediate submission of the forms to the agency's injury compensation program administrator (ICPA).

ICPAs perform the final forms review before submitting the forms to OWCP. The sooner they can receive the forms from the supervisors, and the more complete the forms are when the ICPA receives them, the better the chance that the ICPA can meet the regulatory forms submission time requirements.

Assistance.

Injury compensation program administrators may contact the Defense Civilian Personnel Management Service, Injury Compensation Liaisons for technical assistance, assistance with developing supervisor training, or assistance with implementing timely forms submission practices. To find their servicing liaison, the ICPA may contact the Injury and Unemployment Compensation Division headquarters at (703) 696-1985.

May 13,1997

MEMORANDUM FOR ALL EMPLOYEES

SUBJECT: What To Do When Injured At Work

If you are injured at work, you may be entitled to injury compensation benefits provided under the Federal Employees' Compensation Act (FECA). Federal employees have certain rights and responsibilities in filing for these benefits:

1. Immediately report any work-related injury to your supervisor. If you require emergency medical treatment, obtain care first and then notify your supervisor as soon as possible after receiving treatment.
2. Complete a Form CA-1, Federal Employee's Notice of Traumatic Injury and Claim for Continuation of Pay/Compensation, if your injury results from a specific event or a series of events during one day or shift. If you develop a condition due to prolonged exposure lasting more than one day or shift, complete a Form CA-2, Federal Employee's Notice of Occupational Disease and Claim for Compensation. Your supervisor will provide you with these forms or refer you to the appropriate point-of-contact. To protect your rights to certain benefits, complete the front section of the Form CA-1 or CA-2 and provide it to your supervisor as soon as possible, but not later than 30 days after your injury. Complete these forms as precisely as possible in order to avoid delays caused by asking you for additional information.
3. If your injury requires medical treatment, obtain care as soon as possible. If you sustain a traumatic injury, you may obtain a Form CA-16, Authorization for Examination and/or Treatment from your supervisor or other agency representative.
4. You may be asked to provide additional information. Although your supervisor or other agency representative may assist you, it is your responsibility to obtain the information needed to support your claim.
5. If you are temporarily unable to work because of your injury, you need to keep your supervisor informed about your medical condition, and return to work as soon as your physician allows you to do so. Light duty assignments may be available if you are not able to perform your regular job, and if so, you must advise your physician.

If you experience a work-related injury, your supervisor will tell you who to contact for assistance and additional information. To protect your rights and receive benefits as quickly as possible, please do not delay in reporting work-related injuries.

MEMORANDUM FOR ALL SUPERVISORS

SUBJECT: Work-Related Injuries

When a civilian employee is injured as a result of work, supervisors have certain basic responsibilities:

1. If the employee requires emergency medical treatment, ensure that he or she receives immediate care.
2. If the employee's injury results from a specific event or series of events during one day or shift, provide him or her with a Form CA-1, Federal Employee's Notice of Traumatic Injury and Claim for Continuation of Pay/Compensation. If the employee develops a condition due to prolonged exposure lasting more than one day or shift, provide him or her with a Form CA-2, Federal Employee's Notice of Occupational Disease and Claim for Compensation. Advise the employee to complete and return the form to you as soon as possible, but not later than 30 days after the injury.
3. If the employee has a traumatic injury (a specific event or series of events during one day or shift), provide him or her with a Form CA-16, Authorization for Examination and/or Treatment. This form should be issued within four hours of the injury, whether or not the claim appears valid. For questionable claims, box 6b should be checked to indicate its doubtful nature. Only one Form CA-16 may be issued per traumatic injury. A form CA-16 may not be issued for past medical care, except within 48 hours after emergency treatment.
4. When you receive the employee's completed Form CA-1 or CA-2, check to see that it is complete and that the facts are consistent. You need not have witnessed the injury to agree with the stated history. Complete the supervisor's section of the form and forward it to your designated Injury Compensation Program Administrator (ICPA) immediately, whether or not you feel that the claim should be approved. If you have specific information which casts doubt on the claim's validity, you may challenge it and supply supporting information, but you must still forward the claim promptly. Failure to do so can result in a fine, imprisonment, or both, under 20 CFR 10.23(c).
5. If the employee has a traumatic injury, explain that he or she is entitled to Continuation of Pay (COP) for absences due to disability or obtaining medical treatment, for not more than 45 calendar days following the injury. Any such absence needs to be supported by medical documentation. The specific COP periods should be clearly indicated on the time and attendance sheets, whether the employee loses entire days or only a few hours of a day. If you are unfamiliar with the COP provisions, contact the ICPA for further information.

6. If the employee's physician indicates he or she can perform only limited duty, try to accommodate the medical restrictions. Keeping a partially disabled employee in the work-place tends to speed his or her recovery, which benefits the employee and reduces agency costs. If the employee is totally disabled, or if you are unable to accommodate the restrictions, maintain contact with the employee during his or her absence from work.

You should advise your ICPA promptly of any injuries occurring in your section. You should also refer the injured employee to the ICPA for further assistance after taking the steps described above. The ICPA will provide specific information throughout the course of the injury compensation claim, to both you and the injured employee. The ICPA is also available to provide basic training which can help you become more familiar with what to do when one of your employees is injured at work.